

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

TARA FARRELL, et al.,

Plaintiffs,

v.

NEW MILLENNIUM CONCEPTS, LTD.,

Defendant.

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C.A. No. 3:22-cv-00728-M

DEFENDANT’S NOTICE THAT PLAINTIFFS DID NOT AMEND THE COMPLAINT

Defendant notifies the Court that the Plaintiffs did not amend their Complaint to prevent the Court from dismissing their claims for punitive damages with prejudice. *See* Dkt. 59 at 3.

On March 30, 2023, the Court issued an Order granting in part and denying in part Defendant’s motion to dismiss the Complaint for failure to state a claim. Dkt. 59. In relevant part, the Court dismissed Plaintiffs’ punitive damages claims for unjust enrichment without leave to amend and for all other causes of action with leave to amend. *Id.* at 2-3. The Court stated it would dismiss the remaining punitive damages claims with prejudice unless Plaintiffs amended the Complaint by April 20, 2023 to adequately plead a basis for them. *Id.* at 3 (“Plaintiffs shall amend their Complaint within 21 days of this Order to plead a specific basis for recovery of punitive damages as to each cause of action. Absent amendment, Plaintiffs’ punitive damages claims will all be dismissed with prejudice.”). Plaintiffs did not amend the Complaint, and the Court should dismiss the remaining claims for punitive damages with prejudice. *Id.*

Dated: April 24, 2023

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2023, the foregoing document was served on all counsel of record via the Court's electronic filing system.

/s/ Ronald W. Breaux
Ronald W. Breaux